



for decades and has resulted in the sale to consumers of misbranded, expired, and adulterated pharmaceuticals." 21 U.S.C. §353 (note).

### **THE SCHEME**

4. Defendant KENNETH WALSH was a pharmaceutical sales representative for Searle Pharmaceuticals and was responsible for "detailing" physicians, that is, visiting, educating and delivering free drug samples to physicians for dispensing to patients on a trial basis.

5. Defendant KENNETH WALSH falsified the logs tracking the drug samples and then sold the free prescription drug samples to a pharmacist known to the United States Attorney who, in turn, placed the drug samples into the pharmacy's inventory and sold them to consumers.

6. The prescription drug samples sold by defendant KENNETH WALSH included, but were not limited to, approximately 10,000 doses of Celebrex and thousands of doses of DayPro, for which defendant WALSH received a total of \$12,000.

7. From in or about January 2000 to in or about May 2001, in the Eastern District of Pennsylvania, defendant

### **KENNETH WALSH**

knowingly traded, sold, and offered to trade and sell, thousands of prescription drug samples to a pharmacist known to the United States Attorney.

In violation of Title 21, United States Code, Sections 333(b)(1)(B), 353(c)(1) and 331(t).

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**

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**NOTICE OF ADDITIONAL FACTORS**

1. In committing the offense charged in Count One of this information, defendant KENNETH WALSH:

a. Committed an offense in which the defendant abused a position of trust public and private trust, as described in U.S.S.G. §3B1.3.

b. Committed an offense in which the defendant used a special skill, in a manner that significantly facilitated the commission and concealment of the offense, as described in U.S.S.G. § 3B1.3.

c. Committed an offense in which the loss exceeded \$30,000, as described in U.S.S.G. § 2B1.1(b)(1).